



IAP12 Rec'd PCT/PTO 05 SEP 2007

Dkt. 69587-A-PCT-US/JPW/IA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Koji Nakanishi, et al.  
U.S. Serial No. : 10/579,162  
Filed : as §371 national stage of PCT  
International Application No.  
PCT/US2004/037412, filed November 9,  
2004  
For : SEPARATION OF GINKGOLIDE AND  
BILOBALIDE FROM G. BILOBA

1185 Avenue of the Americas  
New York, New York 10036  
August 31, 2007

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION IN RESPONSE TO FEBRUARY 2, 2007  
NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN  
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
AND PETITION FOR A FIVE MONTH EXTENSION OF TIME**

This Communication is submitted in response to the February 2, 2007 Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) issued by the United States Patent and Trademark Office in connection with the above-identified application. The February 2, 2007 Notice, a copy of which is attached hereto as **Exhibit A**, provides two (2) months for filing a response. Therefore, a response to the February 2, 2007 Notice was originally due April 2, 2007. Applicants hereby request a five-month extension of time. The required fee for a five-month extension of time for a small entity is \$1080.00, and a check

Applicants: Koji Nakanashi, et al.  
U.S. Serial No.: 10/579,162  
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Page 2

which includes this amount is enclosed. With a five month extension of time, a response to the February 2, 2007 Notice is now due September 2, 2007. Accordingly, this Communication is being timely filed.

**Remarks**

The February 2, 2007 Notification indicates that the oath or declaration filed is not executed in accordance with 37 C.F.R. §1.66 and §1.68. In response, applicants submit hereto as **Exhibit B** a copy of a signed inventors' Declaration and Power of Attorney pursuant to 35 U.S.C. §371. In compliance with 37 C.F.R. §1.497, the enclosed Declaration refers to the application's above-identified U.S. Serial Number and to the PCT International Application and its international filing date. Applicants also submit the required surcharge of \$65.00 for a small entity.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fees, other than the enclosed \$1080.00 fee for a five-month extension of time and the enclosed \$65.00 surcharge for late filing of the inventors' declaration are deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such additional fee to Deposit Account No. 03-3125.

09/07/2007 MKAYPAGH 00000070 10579162

01 FC:2617 65.00 DP

09/07/2007 MKAYPAGH 00000070 10579162

02 FC:2255 1080.00 DP

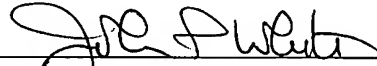
Applicants: Koji Nakanashi, et al.

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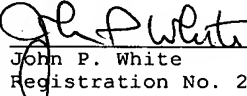
Page 3

Respectfully submitted,



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I hereby certify that this  
correspondence is being deposited  
this date with the U.S. Postal  
Service with sufficient postage as  
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Parts, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA  
22313-1450

 August 31, 2007  
John P. White Date  
Registration No. 28,678

# EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1430  
Alexandria, Virginia 22313-1430  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/579,162	FIRST NAMED APPLICANT Koji Nakanishi	ATTY. DOCKET NO. 69587-A-PCT-US/JPW/CH
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INTERNATIONAL APPLICATION NO. PCT/US04/37412
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I.A. FILING DATE 11/09/2004	PRIORITY DATE 11/12/2003
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23432  
COOPER & DUNHAM, LLP  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036

CONFIRMATION NO. 8923

371 FORMALITIES LETTER



\*OC000000021991315\*

Date Mailed: 02/02/2007

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/11/2006
- Copy of the International Search Report filed on 05/11/2006
- Preliminary Amendments filed on 05/11/2006
- Information Disclosure Statements filed on 05/11/2006
- Oath or Declaration filed on 05/11/2006
- Request for Immediate Examination filed on 05/11/2006
- U.S. Basic National Fees filed on 05/11/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

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U.S. Serial No. 10/579,162  
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**Exhibit A**

- **\$65 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

**PART 2 - OFFICE COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/579,162	PCT/US04/37412	69587-A-PCT-US/JPW/CH

- FORM PCT/DO/EO/905 (371 Formalities Notice)

# EXHIBIT B